IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CWP No.10165 of 2006

Date of Decision: 23.11.2006

Smt.Raj Kumari .....Petitioner

Versus

State of Punjab and another .....Respondents

CORAM:- HON'BLE MR.JUSTICE J. S. KHEHAR
HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.PK Gupta, Advocate
for the petitioner.

Mr.Ashok Aggarwal, Additional AG Punjab for the respondents.

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J.S.KHEHAR, J.(Oral)

Through the instant writ petition, the petitioner had impugned her order of transfer dated 1.7.2006. On the first date of hearing i.e. on 11.7.2006, this Court passed an interim order to the effect that in case the petitioner had not been relieved, her transfer order be kept in abeyance till the next date of hearing. It, however, transpires that the petitioner had actually been relieved and she had actually joined at Government Elementary School Nangal Thathal, Block Bunga – 2, to which place she was transferred.

The issue that confronts us at the present juncture is whether we should interfere with the impugned order of transfer in exercise of our jurisdiction under Articles 226 and 227 of the Constitution of India in

the back ground of the fact that the petitioner is to retire on attaining the age of superannuation on 31.1.2007.

Keeping in view that the petitioner is to retire on attaining the age of superannuation on 31.1.2007, in our view, it would be inappropriate, at this stage, to interfere with the impugned order when only two months remain for the petitioner to attain the age of superannuation.

Dismissed.

(J. S. KHEHAR)
JUDGE

(S. D. ANAND)
JUDGE

November 23, 2006
SRM